

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 10, 2010 has been received and its contents carefully reviewed.

Applicant hereby amends claim 1, 7, 10 and 24. Claims 3 and 21-22 have previously been canceled, and claims 9 and 12-20 have previously been withdrawn. Accordingly, claims 1-2, 4-8, 10-11 and 23-24 are pending for consideration in this application. Reconsideration and withdrawal of the rejection in view of the above amendments and the following remarks are respectfully requested.

In the Office Action, claims 1, 2, 4-8, 10-11, and 23-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,748,266 to Kodate (hereinafter "Kodate") in view of U.S. Patent No. 6,862,050 to Rho et al. (hereinafter "Rho"), U.S. Patent No. 5,926,235 (hereinafter "Han") and Applicant's admitted related art (hereinafter "ARA"), figure 1.

With regard to claim 1, as amended, Applicant respectfully submits that none of cited references teaches or suggests the combination of features recited in claim 1. For example, the cited references fail to teach "...a gate insulating layer on the lower substrate in the display area, the non-display area and the seal pattern region of the lower substrate... a passivation layer on the thin film transistor and over the gate insulating layer, the pixel electrode selectively covering the passivation layer... wherein a thickness of the seal pattern is equal to a distance between the gate insulating layer in the pixel region and the common electrode in the pixel region...".

In Kodate, a thickness of a seal pattern (64) is greater than a distance between a gate insulating layer (44) and a common electrode (30). (See figure 8) In addition, in ARA, a thickness of a seal pattern (44) is smaller than a distance between a gate insulating layer (20) and

a common electrode (40). (See figure 1) Namely, neither Kodate nor ARA teaches or suggests the claimed combination comprising at least features of "...a gate insulating layer on the lower substrate in the display area, the non-display area and the seal pattern region of the lower substrate... a passivation layer on the thin film transistor and over the gate insulating layer, the pixel electrode selectively covering the passivation layer...wherein a thickness of the seal pattern is equal to a distance between the gate insulating layer in the pixel region and the common electrode in the pixel region..." recited by claim 1.

Applicants submit neither Han nor Rho remedy the deficiencies of Kodate and ARA. Accordingly, Applicants respectfully submit claim 1 and claims 2 and 4-6, which are dependent from claim 1, are allowable over the cited references.

For similar reasons as set forth above, Applicants respectfully submit none of the cited reference discloses the above features of amended independent claims 7, 10 and 24. In addition, claim 8, which is dependent from claim 7, and claims 11 and 23, which are dependent from claim 10, are allowable over the cited references.

Applicants believe the foregoing amendments and remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37

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C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911.

Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: September 10, 2010

Respectfully submitted,

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